

041504

22783 U.S. PTO

Anticipated Classification  
of this Application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_Prior Application:  
Examiner Eileen B. O'Hara  
Group Art Unit 1646Attorney's  
Docket No.  
57453-AA-PCT-  
US/JPW/MJW16018 U.S. PTO  
10/825581

041504

Mail Stop Patent Application  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 14, 2004

S I R:

This is a request for filing a X CONTINUATION        DIVISIONAL  
application under X 37 C.F.R. §1.53(b), of pending prior application  
Serial No. 09/885,478 filed on June 20, 2001 ofJohn A. Salon, Thomas M. Laz, Raisa Nagorny, Amy E. Wilson for  
Inventor(s)DNA Encoding A Human Melanin Concentrating Hormone Receptor And Uses Thereof  
Title of Invention

1. X Enclosed is a copy of the prior application.
2.        A verified statement to establish small entity status under 37  
C.F.R. § 1.27  
       is enclosed.  
       was filed in the prior application and such status is  
still proper and desired.
3. X The filing fee is calculated as follows:

## CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	12-20		0	X	\$ 9	\$ 18	\$ 0	\$ 0
Independent Claims	2-3		0	X	\$ 43	\$ 86	\$ 0	\$ 0
Multiple Dependent Claims Presented <u>      </u> Yes <u>X</u> No					\$145	\$290	\$ 0	\$ 0
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2					BASIC FEE		\$	\$ 770
					TOTAL FEE		\$	770.00

4. ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 03-3125.
- ☒ Any additional filing fees required under 37 C.F.R. \$1.16.
- ☒ Any patent application processing fees under 37 C.F.R. \$1.17.
5. ☒ Three copies of this sheet are enclosed.
6. ☒ A check in the amount of \$770.00 is enclosed.
7. ☐ Cancel claims \_\_\_\_\_.
8. ☒ Amend the specification by deleting the paragraph at lines 8-12 and replacing it with the following paragraph: --This application is a continuation of U.S. Serial No. 09/885,478, filed June 20, 2001, now allowed, which is a continuation of PCT International Application No. PCT/US99/31169, filed December 30, 1999, designating the United States of America, which claims priority of and is a continuation-in-part of U.S. Serial No. 09/244,426, filed December 31, 1998, now U.S. Patent No. 6,221,613 B1, issued April 24, 2001, the contents of which are hereby incorporated by reference into the present application.--
9. ☒ 15 Sheet(s) of ☐ informal ☒ formal drawing(s) is/are enclosed.
10. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11. ☐ Priority of application No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 37 U.S.C. §119.  
(country)
- ☐ The certified copy of the priority application has been filed in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
12. ☒ The prior application is assigned of record to Synaptic Pharmaceutical Corporation.
13. ☒ A preliminary amendment is enclosed.
14. ☒ The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maidonado (Reg. No. 38,232); Paul Teng (40,837); Richard F. Jaworski (Reg. No. 33,515); Elizabeth M. Wieckowski (Reg. No. 42,226); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Jane M. Love (Reg. No. 42,812); Spencer H. Schneider (Reg. No. 45,923) and Raymond A. Diperna (Reg. No. 44,063).

- (a) X The power appears in the original papers in the prior application.
- (b)      Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:

John P. White  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
Tel.: (212) 278-0400

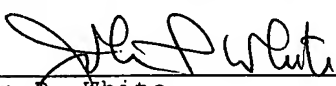
15. X Also enclosed:  
Express Mail Certificate of Mailing No. EV 325705675 US
16. X I hereby verify that the attached papers are a true copy of prior application Serial No. 09/885,478 as originally filed on June 20, 2001.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date

9/14/04

  
John P. White  
Registration No. 28,678  
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New York, NY 10036  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John A. Salon, et al.  
Serial No.: Not Yet Known  
Filed : Herewith  
For : DNA ENCODING A HUMAN MELANIN CONCENTRATING  
HORMONE RECEPTOR (MCH1) AND USES THEREOF

1185 Avenue of the Americas  
New York, New York 10036  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE OF MAILING  
FOR ABOVE-IDENTIFIED APPLICATION

"Express Mail" mailing label number: EV 325705675 US  
Date of Deposit: April 14, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Printed Name: Molly Wickham Molly Wickham

Respectfully submitted,

John P. White

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